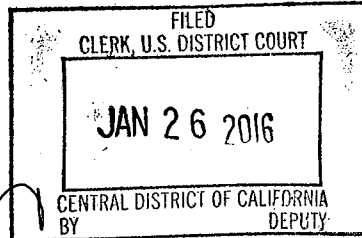


1 Mahmoud Mohamed Mahmoud
2 Mahmoud.mahmoud@aol.com
3 396 s California Ave#2924
4 West Covina, California 91793
5 Phone: 626.560.5101
6 Plaintiff in pro per
7



*Hodges
proposed*

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10	MAMOUD M. MAHMOUD	)	NO.CV 15-7763-GW (KLS)
11	Plaintiff	)	Plaintiff
12	V.	)	NOTICE OF MOTION AND
13	Corinne Luna, et al.,	)	MOTION FOR SUMMARY
14		)	JUDGEMENT PURSUANT
15			TO FED.R.CIV.P.56
16		)	Hearing Date: March 24,2016
17	Defendants	)	Hearing Time: 8:30 AM
18		)	Judge: GW
19		)	place: Court Room 10
20		)	312N.Spring Street L A,
21		)	California 90012.

22
23
24 **TO THE HONORABLE COURT AND ALL PARTIES:**

25
26 PLEASE TAKE NOTICE that on: Thursday, March 24, 2016 at Or
27 as soon thereafter as this matter may be heard in the above –entitled Court
28

Notice of Motion and Motion for Summary Judgment

1 Located at: 312 N Spring Street, Los Angeles, California 90012

2
3 Mahmoud Mohamed Mahmoud the Plaintiff.

4
5 In this case will move this Court for summary judgment , pursuant to Federal Rule

6
7 Of Civil Procedure 56. This motion is based on this notice , the memorandum of

8
9 Points and authorities filed herein, the declaration (s) filed by the Plaintiff

10
11 The exhibits filed herein, the statement of uncontroverted facts and conclusions

12
13 Of law, the pleading previously filed in this action, and any oral argument

14
15 Permitted at the hearing on this motion.

16
17 Dated 1/26/2016

18 by 

19 MAHMOUD MOHAMED MAHMOUD

20 Plaintiff in pro per

**MEMORANDUM OF POINTS AND AUTHORTIES IN
SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

TABLE OF CONTENTS

- 1. Notice of Motion for Summary Judgment and Motion for Summary Judgment**
- 2. Memorandum in Support of Motion for Summary Judgment**
- 3. Declaration in Support of Motion for Summary Judgment**
- 4. Statement of Uncontroverted Facts and Conclusion of Law**
- 5. Proposed Judgment**
- 6. Proof of Service by Marshal**

1 Mahmoud Mohamed Mahmoud
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7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 **MAHMOUD MAHMOUD**

11 Plaintiff

12 V.

13 **Corinne Luna, et al.,**

14 Defendants

15) **CASE NO.CV15-07763-GW (KLS)**
16) **MEMORANDUM OF POINTS**
17) **AND AUTHORTIES IN SUPPORT**
18) **OF MOTION FOR SUMMARY**
19) **JUDGMENT PURSUANT TO**
20) **FED.R.CIV.P.56**
21) **Hearing Date: Thursday 24, 2016**
22) **Hearing Time: 8:30 AM**
23) **Place: Court Room 10**
24) **312N.Spring Street L A, CA90012.**

25 Memorandum in support of Motion for Summary Judgment

26
27 **I.INTRODUCTION**
28

1 **To The Honorable Judges of The Set Court:**

2
3 The Plaintiff hereby submits his reply and objections to the Magistrate Judge's

4
5 Report and Recommendation (R&R) dated January 5, 2016. Unfortunately, the

6
7 Magistrate Judge has made recommendations unfavorable to the plaintiff. This

8
9 Objection by the plaintiff shall address specific errors in the R&R as well as make

10
11 Points as to why the R&R incorrectly makes the recommendation it does. The

12
13 Objections that follow are highlights that support plaintiff's submitted filings or

14
15 Make corrections to the R&R. Consequently, this specific pleading will not

16
17 Discuss all of the plaintiff's pleadings as the District Court can independently and

18
19 Thoroughly examine those in their entirety.

20
21
22
23
24
25
26 Memorandum in Support of Motion for Summary Judgment

27
28 **II. STANDARD OF REVIEW**

1
2 Summary judgment is appropriate if there is no genuine issue as to any
3
4 Material fact and the moving party is entitled to judgment as a matter of law. See
5
6 Fed.R.Civ.P56 (a). The moving party bears the initial burden of establishing
7
8 There is no genuine issue of material fact. *See Anderson v. Liberty Lobby, Inc.*, 477
9
10 U.S.242, 248 (1986); *Celotex Corp. v. Catrett*, 477 U.S.317, 322 (1986). To
11
12 Defeat the motion for summary judgment, the responding party must present
13
14 Admissible evidence sufficient to establish any of the elements that are essential
15
16 To the moving party's case and for which that party will bear the burden of proof
17
18 At trial. See *id.*; *Taylor v. List*, 880 F.2d 1040, 1045 (9th Cir. 1989). The Court
19 may
20
21 Grant summary judgment if the motion and supporting materials, including the
22
23 Facts considered undisputed, show the movant is entitled to summary judgment
24
25 And if the responding party fails to properly address the moving party's assertion
26
27 Of fact as required by Rule 56(c). See Fed. R. Civ. P (e)
28

Memorandum in Support of Motion for Summary Judgment

The responding party cannot point to mere allegations or denials contained in the pleadings, it is not enough for the non-moving party to produce a mere “Scintilla” of evidence. Celotex Corp., at 252. Instead, the responding party must set forth, by affidavit or other admissible evidence, specific facts demonstrating the existence of an actual issue for trial. See KRL v. Moore, 384F.3d1105, 1110 (9 th Cir.2004).

III-ARGUMENT

MAGISTRATE’S REPORT &RECOMMENDATION IGNORES CRUX OF CASE:

First, and foremost, the report simply does not discuss in any manner the crux of

This case, which is that:

“ALL the- Defendants –Unlawfully –Harmed- Plaintiff’s –Accusation”

And that under Federal Rule (8) a of Civil Procedure “The Plaintiff’s is entitled to Relief “.

Memorandum in Support of Motion for Summary Judgment

Since the plaintiff's faced Race discrimination from number of government

Agencies, private actors, and from other individuals, violated The U.S.

Constitutional right during the period from May, 2002, until writing this statement

Of Objections with points and authorities in support thereof,

Plaintiff hereby seeking justice and charges to be pressed on those who were

Mentioned by the name, title and address, and their wrong doing in his second

Prepared, neatly typed 84 pages Amended Complain, which was brought with 356

Supporting document, as evidence to his Allegations to kind Attention the

Honorable Judges of the Federal District Court, Central District of California

Seeking and Praying for **Jury Trial, Unlimited compensatory Damages&**

Injunctive Relief, Pursuant To: 42 U.S.C. 1983.

However the Honorable U.S. Magistrate Judge Karen L. Stevenson,

Disappointed the Plaintiff's badly ignored all his statements of material facts,

Insisting on requesting from Honorable the Federal District Court Judge

Memorandum in Support of Motion for Summary Judgment

Memorandum in Support of Motion for Summary Judgment

(GW) to dismiss the case our subject, by repeating, herself, fail to state claim,

Upon which relief can be granted, or seeks monetary relief from a defendant

Who is immune from such relief, for more than three times, threatening by

Saying from the beginning, that she has the power to dismiss the case, very

Much sided to all the defendants, even with the statement of facts, and all

Supporting documents, which were submitted to her.

The plaintiff believes that is unfortunate error in the Magistrate Judge's

Reading into the Facts and the legal arguments submitted thus far in this case.

In addition, it may well be that the plaintiff's case is the first case of its kind

Submitted before the federal courts as it pertains to race discrimination for

Huge number of government agencies, such as the department of home land

Security district 23, entire Los Angeles Law Enforcement, director US

1 Customs Border Protection, Ocean blvd. long beach, "California Secretary
2 Memorandum in Support of Motion for Summary Judgment

3 Memorandum in Support of Motion for Summary Judgment

4 **Of the State, [the people of the state of California], Mayor, chief police and**
5 **City council city of Altadena, California department of insurance, director**
6 **And supervisor, Interchange auto mobile club AAA director and supervisor,**
7 **Head quarter, All State Insurance, director and supervisor, affirmative Auto**
8 **Insurance Co. Director and supervisor, Sedgwick claims Management**
9 **Director and Supervisor. , Los Angeles City Chief Police, Attorney district**
10 **City of Los Angeles, Mayor and City Council City of West Covina, Mayor and**
11 **City Council City of Baldwin Park, Mayor and City Council Irwin dale, city**
12 **Mayor and City Council City of Azusa, Mayor and City Council, city of**
13 **Temple City, Mayor and City Councils of city of Pasadena, Mayor and City**
14 **Council of City of Glendale, California, Mayor and city Councils of city of**
15 **Los Angeles, CA director Department of the social service, Hawthorne**
16 **Office, the Commissioner of Social Security, Ms.Harvey and her supervisor**
17 **Social Security Administration, West Covina, director of Department of**
18 **health**
19 **Care and human services, hospitals doctor, Dr.Adam Ash Citrus Valley**
20
21
22
23
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Memorandum in Support of Motion for Summary Judgment

Memorandum in Support of Motion for Summary Judgment

Medical Center, city of West Covina, , Dr.hubart from Garfield Medical
Center, Methodist Hospital Arcadia, Dr.Espitia Dennis from Kaiser
Permanent, City of Baldwin Park, Dr. Edwin Kok from Southern California
Heart center, Care1 health care insurance providers US.
Companies and banks, [Chase Bank Baldwin Park manager] Joe HANANA,
And GSM MR.RAY AND Parts director JD .Johnson West Covina (Pen sake)
Mercedes Benz, auto car dealers, Mr. Rod parts manager INFINITI
Monrovia, CAR DEALER Mr. Kevin, Parts M, Hyundai, Anaheim.
Mr. Andrew GM Rusnak Pasadena, GM and Parts M Keith Bentley Rusnak
Thousands Oaks, Stein Douglas Judge Al Ham bra Courthouse, O'Sullivan
Judge the U.S. Immigration Court, Judge Teresa Judge the Los Angeles,
Courthouse Superior Court [Stanly Mock], attorney the US.
Immigration Court Mr. Adam Pearl, attorney the defendant Adam Jacob
Law office of Jacob Sverdlove, attorney Joe Kar, attorney Ali Taheripour,
Attorney Dante Valera, Attorney Shawn Sedaghat,

Memorandum in Support of Motion for Summary Judgment

Memorandum in Support of Motion for Summary Judgment

LA, Ca 90017, Google Inc, You Tube Inc. ,Mr. Mosbah Imams Mosque

Straight way, and West Covina 91793 Imam Mosque Qurtba [Mr. Nagim] at

City of Duarte, California. My Neighbors Jose Gordo, Rico brawly, Angel

Martinez, Sam Suleiman, Owner Frontier Financial service, Pasadena office,

Sam Kahteeb, Owner Auto Insurance, [JACKSON HEWIGHT] office on

Colorado, CA and Mr. Aaron Abdul shako or and his brother Joe and

[All of those harmed the plaintiff accusingly, made his life miserable, full of

Difficulties and obstacles and it's still going on until these minutes.]

[In Regard to seeking monetary relief, from a defendant who is immune from such relief, please see section 1983,

EVERY PERSON WHO, UNDER COLOR OF ANY STATUTE, ORDINANCE, REGULATION, CUSTOM, OR USAGE, OF ANY STATE OR TERRITORY OR THE DISTRICT OF COLUMBIA, SUBJECTS, OR CAUSES TO BE SUBJECTED, ANY CITIZEN OF THE UNITED STATES OR OTHER PERSON WITHIN THE JURISDICTION THEREOF TO THE DEPRIVATION OF ANY RIGHTS, PRIVILEGES, OR IMMUNITIES SECURED BY THE

CONSTITUTION AND LAWS SHALL BE LIABLE TO THE PARTY INJURED IN AN ACTION AT LAW SUIT IN EQUITY, OR OTHER PROPER PROCEEDING FOR REDRESS.

“Magistrate Report Ignores Critical Material Facts”

Memorandum in Support of Motion for Summary Judgment

Memorandum in Support of Motion for Summary Judgment

The second major objection the plaintiff has the R&R is that the Magistrate Judge has simply incorrectly evaluated facts. While all facts presented by the Plaintiffs are material facts; one in particular has been wrongly evaluated

By the Magistrate. Fact on line No. 17 on page 16 [second amended

Complaint] Submitted by the plaintiff on December 7th, 2015 reads as follows;

Defendant Mr. Robert M. Cowan, Director DHS district 23

On or about September 14th, 2010 Defendant Director Mr. Robert M. Cowan [LA0095] (Sued for his official and individual capacity), the reason for that:

Mr. Robert On 09/14/2010, cancelled and stopped production of My Green Card Application Receipt # MSC-07-800-23170, which was approved on March 10, 2009

And also approved on Feb.22, 2011, [page 50,51,68,69 from my FOIA file #A070532464].

Came on" notice denied decision" dated 9/14/2010.

Upon consideration, it's ordered that your application to replace permanent Resident card [form I-90] filed on November 1, 2006 pursuant to Title 8, code Of Federal Regulation, Part, 264.5 be **Denied for the following reason:**

"An I-90 application filed.. Must include the prior permanent resident

Memorandum in Support of Motion for Summary Judgment

Card or other evidence of permanent residence or commuter status”

Although I included notice the INS, dated June 13th, 2001, and the approval Notice from USCIS, dated March 10th, 2009 as support evidence, however, Mr. Robert Cowan ordered that my application to replace permanent resident card Filed on November 1st, 2006 to be **Denied**, without **appeal** to that decision, Which is neither justice for me nor for my family, since I am legal alien with? Green Card, I came legal and I am in the USA, for more than 27 years, Been prevented from seeing my family for long period of time exceeded 17 years, Been treated unfairly from all defendants mentioned above my objections, Which is not appropriate or acceptable... and that there is a policy or repeated Conduct that's discriminatory.

Unfortunately, the Magistrate has trivialized this important fact placing it into A footnote in the Report and Recommendations, Thus a material fact exists as is Relevant to the plaintiff's claims in this complaint.

Memorandum in Support of Motion for Summary Judgment

Memorandum in Support of Motion for Summary Judgment

1
2
3 **IV.CONCLUSION**

4 The Magistrate's Report and Recommendation is based on errors and
5 Misinterpretations in fact and consequently errors in application of the law.
6
7 Significantly, these errors have led to a premature recommendation against
8
9 Discovery for the plaintiff. Such recommendations have been made without

10
11 **Allowing for discovery to all parties involved in this case.**
12

13 The scope of allowable for discovery:
14

15 The Federal Rule of Civil procedure specify the general parameters of allowable
16

17 Discovery in a lawsuit. Rule 26b 1 specifies the following,
18

19 "Unless otherwise limited by court order".
20

21
22 *...parties may obtain discovery regarding any non-privileged matter that is*
23 *relevant*

24 Memorandum in Support of Motion for Summary Judgment

25
26 *To any party's claim or defense. Including the existence, description, nature,*
27 *Custody, condition, and location of any documents or other tangible things and the*
28

Memorandum in Support of Motion for Summary Judgment

1
2 *Identity and location of persons who know of any discoverable matter.*

3
4 *For good cause, the court may order discovery of any matter relevant to the*
5 *subject*

6 *Matter involved in the action. Relevant information need not be admissible at*

7 *The trial if the discovery appears reasonably calculated to lead the discovery of*

8 Admissible evidence. All discovery is subject to the limitations imposed by rule

9
10 26(b) (2)(c).

11 *See Hickman v. Taylor, 329 U.S. 495, 507 (1947). The Court cautioned that discovery*
12 *has "ultimate and necessary boundaries" that include inquiries into irrelevant or*
13 *privileged matters or those conducted in bad faith. Id. at 507-08.*

14
15
16 *See Thompson v. Department of Housing & Urban Development, 199 F.R.D. 168, 172*
17 *(D. Md. 2001). See 2000 Amendments to Fed. R. Civ. P. 26(b)(1), advisory committee's*
18 *note ("In general, it is hoped that reasonable lawyers can cooperate to manage discovery*
19 *without the need for judicial intervention.").*

20 Moreover, factual evaluations accompanied by testimony and evidence are

21 Determination for a jury to determine the validity and credibility. Therefore

22 The right thing for the district court to do is, to allow for discovery, and to grant

23
24
25 The motion for notice of summary judgment, and summary judgment

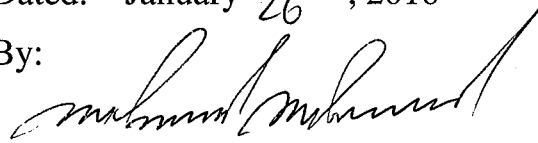
26
27 Memorandum in Support of Motion for Summary Judgment

28 Memorandum in Support of Motion for Summary Judgment

1
2 For the reasons stated above, the plaintiff is entitled to judgment.
3

4 Dated: January 26, 2016

5 By:

6 

7 Name: mahmoud m. mahmoud

8 Plaintiff in pro per
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Memorandum in Support of Motion for Summary Judgment